

M-10-196

JAP:CAC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

DAVID HENAO and EDWIN SALCEDO,

Defendants.

C O M P L A I N T

(21 U.S.C. § 963)

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

JOSEPH DOHERTY, being duly sworn, deposes and states that he is a Special Agent with the Drug Enforcement Administration ("DEA"), duly appointed according to law and acting as such.

Upon information and belief, in or about and between February 21, 2010 and February 24, 2010, within the Eastern District of New York and elsewhere, defendants DAVID HENAO and EDWIN SALCEDO, together with others, did knowingly and intentionally conspire to possess with intent to distribute a controlled substance, which offense involved one kilogram or more of a substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a).

(Title 21, United States Code, Section 963).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. On February 21, 2010, a Confidential Informant ("CI") acting under the supervision of law enforcement was contacted by an individual with whom the CI had been in negotiations with since September 2009 regarding the distribution of cocaine and laundering money from the United States to South America (the "co-conspirator"). The co-conspirator informed the CI that he had an associate in New York who wanted to purchase five kilograms of cocaine. The co-conspirator agreed to a price of \$25,000 per kilogram of cocaine, and told the CI that he/she would pass the CI's number to his/her associate in New York.

2. On February 24, 2010 at approximately 4:00 p.m., the CI received a telephone call from the defendant DAVID HENAO who stated that he was calling on behalf of the co-conspirator. The defendant DAVID HENAO agreed to meet later that day at the White Castle parking lot on Northern Boulevard and Bell Boulevard in Queens, New York.

3. Between approximately 5:00 p.m. and 6:04 p.m., during recorded telephone conversations, the CI and the defendant HENAO arranged to meet.

4. At approximately 6:04 p.m. on February 24, 2010,

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

the defendants DAVID HENAO and EDWIN SALCEDO met the CI. The CI, equipped with a recorder, asked the defendants if they were there on behalf of the co-conspirator, and they replied "yes." The CI told the defendants that he/she wanted to get the money from them first, and then he/she would have an associate bring the cocaine. The defendant SALCEDO told the CI that he only had money for three kilograms of cocaine, but that he would be able to buy more the next day. The defendants agreed to complete the transaction one hour later in the area of Roosevelt Avenue and Parson Boulevard in Queens, New York.

5. Between approximately 7:00 p.m. and 8:15 p.m., a number of recorded telephone conversations took place between the CI and the defendant HENAO concerning the time and exact location of the next meeting.


6. At approximately 8:15 p.m., HENAO and SALCEDO met with the CI and an undercover officer ("UC"). The defendant HENAO handed the UC a shoe box containing approximately \$75,000, and told the UC, in sum and substance, that all the money was there and that he/she could count it. Thereafter, the defendant SALCEDO told the CI, in sum and substance, that if this deal went well, that he would want to buy four more kilograms of cocaine the following day. The CI told SALCEDO, in sum and substance, that if he did not like the purity of the cocaine, that he could return the drugs and get his money back. All of these

conversations were recorded.

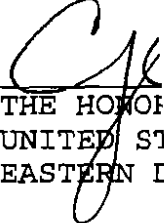
7. Thereafter, at approximately 8:30 p.m., the defendants DAVID HENAO and EDWIN SALCEDO were arrested. The defendant SALCEDO subsequently consented to a search of his residence located at 144-10 Roosevelt Avenue, Flushing, New York apartment 7D.

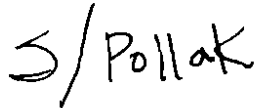
8. At approximately 9:00 p.m., the defendant SALCEDO let your deponent and other law enforcement officers into his residence using a key that he had in his pocket. While inside the residence, law enforcement officers observed and seized a scale, spoon and a plastic bag inside an open cooler on top of the kitchen counter. The officers also recovered from the living room closet various drug paraphernalia that was inside a plastic bag, including a strainer, electric grinder, zip-lock bags, plastic wrap and a small amount of cocaine. Inside the bedroom night table drawer, the officers recovered approximately \$2,000.00, drug ledgers and rubber bands identical to those wrapped around the \$75,000 that was previously given to the UC.

WHEREFORE, your deponent respectfully requests that defendants DAVID HENAO and EDWIN SALCEDO be dealt with according to law.


JOSEPH DOHERTY
Special Agent
Immigration and Customs
Enforcement

Sworn to before me this
25th day of February, 2010


THE HONORABLE
UNITED STATES
EASTERN DISTRICT OF NEW YORK


S/POLLAK AK
SE